



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Saturday, the Eleventh day of August Two Thousand Eighteen

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP(MD) Nos.6441 and 6442 of 2018

IN

CRL A(MD) Nos.556 and 557 of 2007

WAHEEDA JAYARAMAN

..PETITIONER/APPELLANT IN

CRL.MP(MD)No.6441/18 in CRL A(MD)No.556/18

JAYARAMAN

..PETITIONER/APPELLANT IN

CRL.MP(MD)No.6441/18 in CRL A(MD)No.556/18

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,
SPE/CBI/ACB, CHENNAI

(in IN CRIME NO.NO.RC MAI 2004 A0020) .. RESPONDENT IN BOTH THE
PETITIONS

COMMON PRAYER IN CRL.MP(MD)Nos.6441 and 6442 of 2018 :

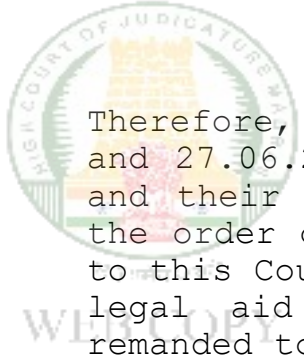
Petitions praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence and to enlarge the petitioner on bail in connection with the judgement and sentence made in C.C.No.5 of 2006 dated 18/10/2007 on the file of Principal Special Court for CBI Cases, Madurai pending disposal of the Criminal appeal in Crl.A.(MD) Nos.556 & 557 of 2007 respectively on the file of this Honourable Court.

Order : These petitions coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.M.AJMALKHAN, Senior Counsel for M/S.AJMAL ASSOCIATES, Advocate for the petitioner in both the cases and of MR.A.NAGENDRAN, Special Public Prosecutor for CBI Cases on behalf of the Respondent in both the cases, the court made the following order:-

The petitioners in these petitions are husband and wife. The first accused Mr.Jayaraman, the then Joint Secretary of Customs and Central Excise was found in possession of wealth disproportionate to his known source of income. His wife and father were also arrayed as accused for abetting him to possess disproportionate assets. The trial Court has found them guilty and convicted A-1 to undergo rigorous imprisonment for a period of three years and as far as the second and third accused are concerned one year rigorous imprisonment. Aggrieved by the order, appeals were filed in Crl.A. (MD)Nos.556 and 557 of 2007.

<https://hcservices.ecourts.gov.in/hcservices/>

2.When the matter was taken up for final hearing after ten



Therefore, after adjourning the matter on 08.06.2018, 21.06.2018, and 27.06.2018, this Court recording non appearance of the parties and their counsel, appointed a legal aid counsel and also revoked the order of suspension of sentence passed on 18.01.2007. Pursuant to this Court order dated 27.06.2018, Mr.V.J.Kumar, was appointed as legal aid counsel. The petitioners herein were arrested and remanded to custody on 09.08.2018.

3.Present petition to suspend the sentence is filed on the ground that the counsel, who filed the appeal had shifted his practice to Chennai and therefore, new counsel was engaged by the petitioners. However, new counsel had not filed vakalat and therefore, in the cause list the name of the erstwhile counsel was printed. The new counsel died in a road accident, so there was no representation on behalf of the petitioners. Now another counsel has been engaged by the petitioners and the learned counsel undertakes to get along with the appeal and to be ready for final hearing on 21.08.2018.

4.Recording the undertaking, these petitions for suspension of sentence is allowed on the following conditions:-

(i)The petitioners shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for a like sum to the satisfaction of the learned Principal Special Judge for CBI Cases, Madurai.

(ii)The trial Court may accept common sureties for both the accused.

(iii)The petitioners / accused shall be present before this Court on 21.08.2018.

sd/-

11/08/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE PRINCIPAL SPECIAL JUDGE, FOR CBI CASES, MADURAI

2.THE DEPUTY SUPERINTENDENT OF POLICE, SPE/CBI/ACB,
CHENNAI

3.THE SUPERINTENDENT, CENTRAL PRISON, MADURAI

4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. C.C. to M/S.AJMAL ASSOCIATES Advocate SR.Nos.15409 & 15410